IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1220 of 2005

KAILASH CHAND & ANR.
V/S
HARI KISHAN & ANR.

Ms. DIPIKA VYAS FOR Mr. RANJEET JOSHI, for the appellant / petitioner

Mr. BK BHATNAGAR, for the respondent

Date of Order : 2.7.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

The learned trial Court has dismissed the petitioner's application for leading secondary evidence on the ground that even the original of the document was not registered, nor is it sufficiently stamped. In my view, when even the original could not have been admissible for want of being insufficiently stamped and being unregistered, obviously secondary evidence cannot be allowed to be led to prove such document. Thus, I do not find any error in the impugned order. The writ petition is, therefore, dismissed summarily. The learned trial Court is, however, directed to expeditiously decide the main suit.

(N P GUPTA),J.

/tarun/